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OFFICE OF PETITIONS

In re Application of	:	
Tetsuya NOGUCHI et al.	:	
Application No. 09/818,802	:	DECISION ON PETITION
Filed: March 27, 2001	:	
Attorney Docket No. JP920000026US1	:	

This is a decision on the petition under 37 CFR 1.183 filed May 26, 2009, which is being treated as a petition under 37 CFR 1.181 (no fee) requesting withdrawal of the holding of abandonment in the above-identified application.

The petition under 37 CFR 1.181 is **DISMISSED**.

Any request for reconsideration of this decision should be filed within two (2) months from the mail date of this decision. *Note* 37 CFR 1.181(f). The request for reconsideration should include a cover letter and be entitled as a "Renewed Petition under 37 CFR 1.181 to Withdraw the Holding of Abandonment."

This application was held abandoned for failure to reply to the Notice of Non-Compliant Amendment mailed June 30, 2008, which set a one (1) month shortened statutory period for reply. A Notice of Abandonment was mailed on July 31, 2008.

Petitioner asserts that the Office action dated June 30, 2008 was not received.

MPEP 711.03(c)(I)(A) states, with emphasis added,

[A]n allegation that an Office action was never received may be considered in a petition to withdraw the holding of abandonment. If adequately supported, the Office may grant the petition to withdraw the holding of abandonment and remail the Office action.....

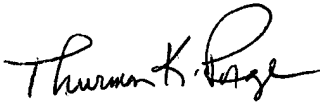
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Telephone inquiries concerning this decision should be directed to Michelle R. Eason at (571) 272-4231.

A handwritten signature in cursive script, appearing to read "Thurman K. Page".

Thurman K. Page
Petitions Examiner
Office of Petitions